

Report of Investigation

Title of Investigation: TATE, Deonte	Investigation Number: 773025-14-0019	Report Number: 2
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SUMMARY OF EVENT:

Interview of Detective Clinton Ovalle: On November 22, 2013, Cuyahoga Metropolitan Housing Authority Police Department Detective Clinton Ovalle was interviewed regarding the arrest of Deonte TATE on November 3, 2013.

NARRATIVE:

1. On November 22, 2013, ATF S/A Gregory Bartoe interviewed Cuyahoga Metropolitan Housing Authority Police Department ("CMHA PD") Detective Clinton Ovalle regarding the facts and circumstances surrounding the arrest of Deonte TATE by CMHA PD on November 3, 2013.
2. On November 3, 2013, Detective Ovalle was participating in a CMHA PD Quality of Life Detail that sought to address crimes occurring in the Outhwaite Estates and other nearby CMHA PD properties. During the detail, CMHA PD Sergeant Paul Hermensky and Detective Ovalle observed a black Ford Fusion parked near 4035 Case Court at approximately 1:18 a.m. This vehicle was parked on the north side of Case Court and sat idling while it was occupied by two (2) people. Due to the time of night, the cold temperature outside, and the vehicle idling while occupied, Sergeant Hermensky and Detective Ovalle stopped to check on the occupants of the vehicle to make sure they were all right and/or not involved with any criminal activity.
3. Detective Ovalle approached the passenger side of the vehicle and spoke with the front passenger, later identified as TATE, through the open passenger side window. Detective Ovalle noted a strong smell of alcohol on TATE's breath. While Detective Ovalle spoke with TATE about his well-being, Detective Ovalle observed the handle of a pistol protruding from TATE'S waistband on his right side. Although TATE tried to conceal the firearm by moving his right arm over it, Detective Ovalle alerted Sergeant Hermensky to the firearm and was able to retrieve the firearm from TATE'S waistband.
4. As other CMHA PD units arrived on scene to assist, TATE and the vehicle's driver, Shavette OLIVER, were removed from the Ford Fusion for further investigation. TATE then voluntarily stated that OLIVER was his girlfriend and he did not want her to get in trouble for the drugs in the vehicle. When asked the location of the drugs, TATE told the officers the drugs were located in the vehicle's center console. A bag containing suspected heroin and a bag containing suspected crack cocaine were recovered from the vehicle's center console area. In addition, an open bottle of Hennessy liquor was found on the front passenger floor area.

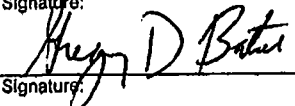
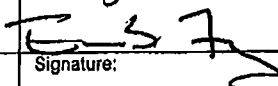
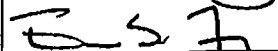
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EXHIBIT NO. 3

5. Detective Ovalle then advised TATE of his Miranda Rights and TATE said he understood his rights. Detective Ovalle asked TATE why he was carrying the recovered Ruger 9 mm pistol and TATE responded he carried the pistol for protection. After answering this question, TATE invoked his Miranda Rights and Detective Ovalle ceased the interview with TATE. However, TATE made a statement to OLIVER that the "Feds are gonna [redacted] this case. I ain't supposed to have it." Detective Ovalle interpreted the latter portion of this statement as referring to the recovered firearm.
6. The officers advised TATE he was being charged with drug and weapons charges before he was transported to the Cleveland Police Department's Central Processing Unit where he was booked and housed. The recovered evidence was transported back to the CMHA PD Headquarters for processing.